

METROPOLITAN BUILDINGS BILL.

HOUSE OF COMMONS, TUESDAY, JULY 16.

The Earl of LINCOLN moved that the House go into committee on this Bill.

Mr. HAWES said that a paper had been laid on the table that morning containing more than a hundred alterations which were to be proposed. Now, he must protest against being called on to decide on all these alterations until he had heard something by way of explanation of those amendments. If he did not get a satisfactory explanation, he would oppose the Bill in all its details, and move the "previous question."

The Earl of LINCOLN said, that a more unfair ground of objection he had seldom seen, for nearly the whole of the alterations were merely verbal alterations, not at all affecting the principle of the measure; and, let him add, that he had, contrary to the general practice on such occasions, printed the whole of them for the information of hon. members. The hon. member for Lambeth had no later than last night informed him of his intention to move a variety of amendments to this Bill, but he had not informed him of the nature of even one of them. He regretted the opposition of the hon. member, but he should proceed with the Bill.

Mr. HAWES contended that many of the noble lord's proposed alterations were substantial and grave, and would require mature deliberation. He looked upon the bill as a complete warfare upon the whole trade of the metropolis, inasmuch as it interfered with every kind of building, great or small, and if the Bill had been in force at the time when those great undertakings, the docks and railway sheds, termini, and bridges were erected, they could not have been built under a heavy penalty unless the permission of the Commissioners of Woods and Forests were first obtained. If any person used any such building or bridge by walking over it, he would be subject to a penalty of 500*l.*; and any such building, bridge, dock, warehouse, or shed, having been built without such permission previously obtained, would be deemed a nuisance which the Commissioners of Woods and Forests would have power to abate by pulling down. Another provision of the Bill imposed a penalty of 50*l.* on any man employed in the erection of such buildings. On all these grounds he should move the previous question as an amendment to the motion for going into committee.

Mr. MACKINNON supported the amendment, and contended that, though the Bill contained many good points, it was in many others of its provisions directly the reverse of the recommendations of the committee from which it professedly emanated.

The Earl of LINCOLN said that the opposition of the mover and seconder of the amendment formed an apt illustration of the remark that extremes meet. The one hon. member objected to the Bill because, as he said, it went too far, and actually made war on the trade of the metropolis; while his seconder complained that it did not go far enough, and did not carry out some of the most useful recommendations of the committee. The noble lord went on to shew, that every practicable means had been adopted in the Bill for promoting the cleanliness, and, of course, the health of the metropolis; and that it interfered not with any private interest, further than was necessary for the protection of the public. The hon. member for Lambeth complained of what he termed the ridiculous minuteness of the Bill. No doubt the hon. member was a great critic in his way, but there was no style of phraseology would please him, as long as it emanated from the government. If the details of the Bill were so plain, as that all who ran might read, as he contended was the case with this Bill, still, there would be no pleasing him as long as the details were those of the government, and, of course, they must be wrong. The hon. member had not proved any one of his objections. His was simple allegation, and no more. He objected to having many public buildings, such as the theatres, included in the Bill; but did he recollect that a theatre had tumbled down, occasioning the death of some eight or nine individuals? Had a proper survey by competent architects been made, that accident could never have happened, nor could the accident at the ter-

minus of the railway at the Bricklayers' Arms have occurred had such a Bill as this been in operation. As to the question of patronage which had been created by the Bill, he defied the hon. member to bring in such a Bill with fewer appointments to carry it out. There were two referees, who must be architects, a registrar, and a clerk, which were not one-fourth the number of persons who had been considered by many to be necessary for carrying out the Bill. With respect to many minor objections urged by the hon. member, he would decline any notice of them until they went into committee, which was the proper place for their discussion.

Mr. TURNELL objected to the Bill on the ground that it was an unwarrantable, because an unnecessary, interference with private property. He also objected to a Bill containing such various detail being brought in at this period of the session.

The house then divided, when the numbers were—

For the original motion 39
For the amendment 5
Majority —34

The house then resolved itself into committee on the Bill. A number of the clauses were agreed to, and some verbal amendments added.

WEDNESDAY, JULY 17.

The Metropolitan Buildings Bill was further considered in committee, and all its clauses from clause 55 were agreed to.

Schedule A was amended and agreed to.

Schedule B being put from the chair,

Mr. HAWES protested against the manner in which the present Bill had been hurried on by the noble lord, notwithstanding his intention to propose some amendments in it was known. It was a mode of legislating upon measures of the utmost importance which was any thing but satisfactory; and he hoped that what he had said would go forth to the public. He did not despair, however, of throwing out the Bill in the other House (hear), where, at all events, it would have more attention than here. He had attended during the morning sitting in hopes of being able to bring on his amendments, but he had been called away, and, during his absence, the Bill had been thus hurried forward. He had no right, strictly speaking, to complain of the noble lord opposite, but he certainly did think, under the circumstances, that a little courtesy was due to him with respect to the progress of the measure. It was most unusual to press forward Government measures on a Wednesday, which was generally devoted to private business and motions. He, however, would not be diverted from his intention, but would propose his amendments on the bringing up of the report.

The Earl of LINCOLN hoped the hon. member would preserve that equanimity which he had displayed on a former evening respecting this measure. The hon. member could have no fair ground of complaint, for he (Lord Lincoln) had informed him that the Bill would be proceeded with on Wednesday. If the delay occasioned by the threatened proceeding were prejudicial to the measure, the hon. member would alone be to blame for it.

Mr. HAWES expressed his readiness to take the blame on himself.

The Earl of LINCOLN.—The hon. member had certainly expressed his intention of bringing forward some amendments, but it could not be expected that public business could be suspended or the progress of a most useful Bill jeopardized to meet the convenience of one hon. member. There never was a Bill which had received more mature consideration from all parties best able to judge of its merits than the measure before the house had done. It had been for two successive sessions on the table of the house, and it had been discussed in all the carpenters' and builders' societies on repeated occasions; so that there was no foundation or even excuse for the hon. member's observations. The government had no desire to smuggle the bill through the house. It was no party measure, nor had they any interest in it beyond the public good.

The schedule was then agreed to.

Schedule C, No. 2, being read,

Mr. HAWES proposed, that instead of the words "official referee," there should be inserted "district-surveyors."

The Earl of LINCOLN objected, as the

functions of the district-surveyors were strictly confined to ministerial offices.

The committee divided, when the numbers were,—

For the original words 25
For the amendment 10
Majority —15

On our readmission into the gallery, we found that Mr. HAWES had proposed another verbal amendment.

On which the committee divided: The numbers were—

For the amendment 5
Against it 29
Majority against the amendment —24

During our absence from the gallery (there not being 40 members present on the division) we understood that the Speaker resumed the chair, and several members having entered along with the right hon. gentleman, a house was made, and the proceedings of the committee were continued.

Mr. HAWES said he had no wish to obstruct public business; and certainly he had no right to complain of the conduct of the noble lord opposite (Lord Lincoln). At the same time he must say he thought it would have been more courteous if this Bill had been postponed till a later period of the evening. It appeared from this schedule that no person could erect so paltry a building as a greenhouse, within twelve or fifteen miles of London, without coming to Whitehall to ask the official referees to approve the plan. He thought this was a contemptible regulation. He would add, that he considered the Government ought to have taken care that a larger number of members should be present during the discussion of a Bill of this importance.

The Earl of LINCOLN said, he had before stated the reasons which had induced the Government to require that the plans should be submitted to the official referees, in preference to district-surveyors. The hon. member for Lambeth (Mr. Hawes) divided the House on that question, and his (Lord Lincoln's) impression was, that the hon. member took the division for the purpose of destroying the House.

Mr. HAWES begged to assure the noble lord that such was not his intention.

The Earl of LINCOLN begged the hon. gentleman's pardon. He must remind the hon. member that in some instances conservatories were erected in places of public resort, where any defect in their construction might be attended with great danger.

Mr. HUMPHRY wished to know whether the official referees were to determine what description of brick or of glass should be used in the construction of such buildings?

After some further conversation, it was agreed that the subject should be discussed on bringing up the report.

The schedule was then agreed to.

On schedule D,

Mr. HAWES objected to a portion of the schedule which gave to the official referees the power of determining the materials of which the foundation of external walls should be composed.

The Earl of LINCOLN said, that the hon. member for Lambeth must not suppose that the House was now legislating on this subject for the first time. This schedule, which related solely to the materials used in the construction of external walls, greatly modified the existing law, the provisions of which were most stringent.

The schedules of the Bill having been gone through,

Mr. HAWES felt it his duty to say that the summary of the Bill was highly creditable to the Board of Woods and Forests for the manner in which it was got up.

The CHAIRMAN reported progress, and the House resumed.

The Earl of LINCOLN said, he would fix the report for 12 o'clock to-morrow.

Mr. HAWES objected to the Bill being pressed on at this railroad speed. He hoped the amendments would be printed, to give time for their being read.

The Earl of LINCOLN said, every one of the amendments had been printed and circulated yesterday, and were of a purely technical and verbal nature. He would not hesitate to accede to the request of the hon. member if he did not think the delay would be the means of defeating the Bill.